

REMARKS

Claims 16-18, 23 and 59 were rejected under §102 as being anticipated by, or in the alternative, under §103 as being obvious from Knapp (U.S. Patent No. 5,300,120). Claims 19-22 and 24-29 were rejected as being unpatentable over Knapp. Applicant respectfully traverses.

Knapp discloses a transponder having an identification code that is attached to an implanted medical component. A hand held device reads the identification code and a decoder decodes it to identify the implanted component. The code is routed to a data bank and used to "access such data which has been stored corresponding to [the] transponder." Col. 3, line 67 to col. 4, line 1.

Claim 16 specifies that identification of each implanted component of a system is transferred to a remote data center where an inventory control module in data communication with the remote expert data center receives the information identifying each medical component implanted in the patient and updates an inventory module regarding inventory of each medical component implanted in the patient. Claim 59 specifies "means for updating the inventory of the medical component in the remote expert data center based upon the information identifying the medical component."

Unlike Knapp, claims 16 and 59 do not use the component identifying information to access data which has been stored corresponding to the transponder. The data bank 38 in Knapp is nothing more than a collection of information relating to the implanted component fitted with the particular transponder, which information can be accessed for review by the controller. There is no suggestion whatsoever that the data bank provides or can provide any inventory control function. Further, there is absolutely no basis

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whatsoever to support the characterization of the data bank in Knapp as involving inventory control of the implanted components fitted with the transponder.

Accordingly, Applicant submits that Knapp fails to anticipate claims 16 and 59 as well as the claims dependent thereon. Further, Applicant submits that claims 16-29 and 59 are not rendered obvious in view of Knapp.

Applicant, therefore, submits that all pending claims are in condition for allowance and requests that a notice of allowance be issued in due course.

Respectfully submitted,

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